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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,687	05/04/2006	Thomas Karlsson	PS02 0290US2	4742

58561 7590 08/10/2010  
HARRITY & HARRITY, LLP  
11350 RANDOM HILLS ROAD  
SUITE 600  
FAIRFAX, VA 22030

EXAMINER
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SHAFI, MUHAMMAD

ART UNIT	PAPER NUMBER
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3663

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/595,687	<b>Applicant(s)</b> KARLSSON, THOMAS	
	<b>Examiner</b> MUHAMMAD SHAFI	<b>Art Unit</b> 3663	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 June 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4,5,8-16 and 20-24 is/are pending in the application.
- 4a) Of the above claim(s) 1,4,5,13-16 and 20-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/4/2006</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

The following is a Non-Final Office Action in response to communications received June 28, 2010. Claims 2-3, 6-7 and 17-19 have been canceled. Claims 1, 4-5, 13-16 and 20-24 have been withdrawn. Therefore, claims 8-12 are pending and addressed below.

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 28, 2010 has been entered.

#### *Claim Objections*

2. Applicant's amendments with respect to claims 8-12 set forth in the previous Office Action for having minor informalities, is sufficient to overcome Claim Objections set forth in the previous Office Action. The examiner withdraws the Objections

#### ***Response to Arguments***

3. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection which has been necessitated by amendment.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada (USP 2003/0164822A1).

**As per Claim 8**, Okada discloses, A portable electronic device (via a portable telephone device 70, Fig. 20, [0127]), to at least partly organize data in relation to fix points of geographic locations, the portable electronic device comprising: a positioning unit to determine a geographic location of a user; ( via 90, [0128-0129], Figs. 19, 20), a first data receiving unit to capture, by the user, electronic media; where the captured electronic media comprises at least one of one or more picture files, or one or more video files; ( via camera 141, 142, 143 and 144, [0135], Fig. 19) ; a second at least one data receiving unit to receive a link to the captured electronic media(via communication control unit 134, 130, [0130-1031], Figs. 19, 20), and a control unit to ( via CPU 72 , Fig. 19): receive selection, from the user, of one or more fix points on point, associated a geographical map, ( via latitude , longitude etc., POI information, [0131]) where the one or more fix points are selected by the user prior to receiving the link,

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receive the geographic location of the user from the positioning unit,( via GPS unit 91, [0131], [0136], [0137] see last three lines [0136]); associate the geographic location of the user with a particular fix point, of the one or more fix points ( [0136-0137]); associate the captured electronic media with the particular fix point, [0136]), and receive the link, from the particular fix point to the captured electronic media, the link allowing the captured electronic media to be retrieved upon selection of the particular fix point.[0135-0137], Figs. 19-20).

**As per Claim 9**, Okada teaches the limitation of Claim 8. However, Okada further teaches ,the portable electronic device, in which the control unit (CPU 72 , Fig. 19) further is to: associate data captured, by the first receiving unit, at the geographic location of the user, with the fix point ( via [0132-0133]).

**As per Claim 10**, Okada teaches the limitation of Claim 8. However, Okada further teaches, the portable electronic device further comprising: an information presentation unit, to present information by the control unit, under the control of the user ( via display 75a-75f, Fig. 20).

**As per Claim 11**, Okada teaches the limitation of Claim 8. However, Okada further teaches, the portable electronic device further comprising: a memory unit to store data received from the first data receiving unit under the control of the control unit ( via Image pickup memory 144, Program ROM 76, Memory 73, Fig. 19).

**As per Claim 12**, Okada teaches the limitation of Claim 8. However, Okada further teaches ,the portable electronic device according to claim 8, in which the

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portable electronic device is a mobile phone (via portable telephone device 70 ( [0127], Fig. 20).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MUHAMMAD SHAFI whose telephone number is (571)270-5741. The examiner can normally be reached on M-F 8:30 AM -5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on (571)-272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ms/  
Examiner  
Art Unit 3663

/JACK KEITH/  
Supervisory Patent Examiner, Art Unit 3663

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